SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

February 5, 2003

PART A
SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. Annual Legislative and Regulatory Update Presentation *(John Anderson)*
On January 14, 2003, John Anderson gave a 2002 Legislative update presentation at the San Diego Environmental Professionals (formerly The Association of Hazardous Materials Professionals) monthly meeting at the Monterey Whaling Company, Hilton Hotel in Mission Valley. Mr. Anderson presented and discussed the new regulations that become effective after January 1, 2003 that affects the California Water Code and other regulations that the Regional Board implements. Approximately 55 environmental attorneys and consultants attended.

2. Public Outreach – General WDRs for Reuse/ Disposal of Fuel Contaminated Soils *(John Odermatt)*
On December 11, 2002, the Regional Board adopted General Waste Discharge Requirements (WDRs) for reuse/disposal of fuel contaminated soils within the San Diego Region (Order R9-2002-0342). The General WDRs replaced the conditional waiver, previously issued as Resolution 95-63, which expired on January 1, 2003. On January 22, 2003, Regional Board staff presented a summary of the requirements of the recently adopted General WDRs to the participants at the Site Assessment and Mitigation (SAM) Forum sponsored by the County of San Diego Department of Environmental Health. Participants in the SAM Forum include consultants, dischargers, and local regulatory agencies that commonly oversee the investigation and cleanup of contaminated sites. The Regional Board staff anticipated that the new General WDRs for reuse/disposal of fuel contaminated soils would be of particular concern to the SAM Forum audience, because the participants are commonly associated with many projects involving the excavation and disposal of petroleum contaminated soils in the San Diego Region. Regional Board staff outlined the requirements and summarized the status of the waiver policy for the SAM Forum participants.

3. Watershed Approach Activity *(Robert Morris)*
As part of our Strategic Plan, the Watershed Management Initiative (WMI) provides an overarching framework for meeting the challenge of integrating our various separate programs into a more holistic approach for addressing today's complex water quality issues. In an effort to facilitate the watershed approach in our organization, we had a one-day activity on January 9th that focused teams of staff from different units and programs on preparing status reports for eight of our Region's watersheds.

The reports were to include a general description of the watershed; an identification of the various water quality issues and problems; a summary of the recent water quality monitoring and assessment programs; and the status of the programs and activities of the Regional Board and other organizations in the watershed. As might be expected, the scope of the assignment was much greater than the time allowed. However, staff did a commendable job in preparing the preliminary reports on eight watersheds. We are currently reviewing the reports to identify data gaps and to establish a format for finalizing the reports and for preparing future watershed updates. When completed the reports will be posted on our web page.

PART B
SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. Sanitary Sewer Overflows (SSO) *(Chiara Clemente, David Hanson, Bryan Ott, Victor Vasquez) (Attachment B-1)*

From January 1 through January 27[1] 2003, there were 34 sanitary sewer overflows (SSOs) from publicly-owned collection systems reported to the Regional Board office; 25 of these spills reached surface waters or storm drains, and two resulted in closure of recreational waters. Of the total number of overflows from public systems, nine were 1,000 gallons or more.

Three sewage overflows from private property were also reported from January 1-27; none of these were 1,000 gallons or more. Two of the private property spills reached surface waters or storm drains, but none resulted in closure of recreational waters.

A total of 0.02 inches of rainfall were recorded at San Diego's Lindbergh Field for January 1-27, 2003. For comparison, in December 2002, 1.98 inches of rainfall were recorded, and 30 public SSOs were reported. In January 2002, 0.32 inches of rainfall were recorded and 40 public SSOs were reported.

Regional Board staff has updated the sewer overflow statistics for each sewer agency by fiscal year (FY) since FY 1998-99 in the attached table entitled "Sanitary Sewer Overflow Statistics." The annual report that was included in the agenda materials for the January Board meeting, titled "Public SSO Statistics Summary for FY 2001-02," is also attached. Staff will continue to improve the manner that SSO data is presented in the future in order to provide the Regional Board the most meaningful and insightful information.

Eleven Notices of Violation (NOV), two with Requests for Technical Information (RTI), were issued in January for recent significant overflows. The NOVs were issued to the following agencies for the events described below:

Buena Sanitation District

[1] A complete summary of sewer overflows for the entire month of January could not be provided due to the deadlines required for submittal of the February 2003 agenda materials.

The City of Vista, on behalf of Buena Sanitation District, notified this office of a 14,400-gallon sanitary sewer overflow that occurred on November 7, 2002. The City provides maintenance and operation services for the District's wastewater collection system. The City reported that the overflow occurred from a manhole behind 1441 York Drive in an unincorporated area of San Diego County, which is part of the District's service area. The sewage flowed to an unnamed creek channel, tributary to Buena Creek, Agua Hedionda Creek, Agua Hedionda Lagoon, and the Pacific Ocean.

The City of Carlsbad

The City of Carlsbad notified this office via telephone of a 7,200-gallon sanitary sewer overflow that occurred at the 2300 block of Hospital Way on December 30, 2002. A report from the City's Public Works Department received on December 31, 2002 attributed the cause of the sanitary sewer overflow to a blockage in the sewer line due to roots. City crews reportedly were able to recover an estimated 200 gallons. The remainder of the overflow, approximately 7,000 gallons, was discharged to Buena Vista Creek, a tributary to the Buena Vista Lagoon, which drains to the Pacific Ocean. Signs warning of contamination were posted at access points of the north shore of Buena Vista Lagoon and along its mouth for three days.

City of Chula Vista

Notice of Violation No. R9-2003-0021 was issued to the City for a 4,800-gallon sanitary sewer overflow, of which 3,600 gallons were reportedly recovered, that occurred on November 30, 2002 at the City's G Street lift station resulting in a discharge to San Diego Bay. The overflow caused the posting of signs warning of sewage contamination in San Diego Bay near G Street for 3 days.

City of Del Mar

Notice of Violation No. R9-2003-0024 was issued to the City for a 1,600 to 2,000-gallon sanitary sewer overflow that occurred on December 20, 2002 at 302 Ocean View Avenue resulting in a discharge to the Pacific Ocean through a storm drain outlet west of Camino Del Mar. The overflow caused the posting of signs warning of sewage contamination at Torrey Pines State Beach approximately ¼ to ½ mile north and south of the point of discharge.

City of San Diego

a. Notice of Violation No. R9-2003-0016 was issued to the City for a 111-gallon sanitary sewer overflow that occurred on October 5, 2002 at 1271 Prospect Street resulting in a discharge to the Pacific Ocean near La Jolla Caves. The overflow caused the posting of signs warning of sewage contamination along La Jolla Caves for 24 hours.

b. Notice of Violation No. R9-2003-0017 was issued to the City for a 1,155-gallon sanitary sewer overflow, of which 565 gallons were reportedly recovered, that occurred on October 14, 2002 at 730 Cornish Drive resulting in a discharge to the Pacific Ocean near the Ladera Street access to Sunset Cliffs Park. The overflow caused the posting of signs warning of sewage contamination at the Ladera Street access for 2 days.

c. Notice of Violation No. R9-2003-0018 was issued to the City for a 3,750-gallon sanitary sewer overflow, of which 2,250 gallons were reportedly recovered, that occurred on October 28, 2002 at 14085 Mango Drive resulting in a discharge to Soledad Creek, Penasquitos Lagoon and ultimately the Pacific Ocean. The overflow caused the posting of signs warning of sewage contamination at Torrey Pines State Beach 300 feet north and south of the lagoon outlet for 3 days.

d. Notice of Violation No. R9-2003-0019 was issued to the City for a 8,750-gallon sanitary sewer overflow, of which 6,600 gallons were reportedly recovered, that occurred on November 15, 2002 near Linda Vista Road and Ulric Street.

e. Notice of Violation No. R9-2003-0023 and RTI were issued to the City for a 130,756-gallon sanitary sewer overflow, of which 4,500 gallons were reportedly recovered, that occurred on December 25, 2002 at 2636 Grand Avenue resulting in a discharge to Rose Creek and Mission Bay. The overflow resulted in the posting of signs warning of sewage contamination throughout east Mission Bay for 7 days.

City of Oceanside

The City of Oceanside notified this office of a 1,400-gallon sanitary sewer overflow from its wastewater collection system that occurred on December 17, 2002 at 4706 Cannon Drive. The City reported the cause of the overflow as a pump station failure resulting from failures of the pump station Supervisory Control and Data Acquisition (SCADA) system and override float system. The report from the City and a report from the County of San Diego Department of Environmental Health indicated that the overflow entered a storm drain tributary to Agua Hedionda Creek, Agua Hedionda Lagoon, and the Pacific Ocean. The overflow resulted in the closure of recreational waters at Carlsbad State Beach and Agua Hedionda Lagoon to prevent public contact with affected waters.

U. S. Navy

Notice of Violation No. R9-2003-0020 was issued to the U.S. Navy for a 40,000-gallon sanitary sewer overflow that occurred on November 12, 2002 at Naval Base Coronado. The spill was reported to be the result of a collapsed line on the discharge side of a pump station.

2. Clean Water Act Section 401 Water Quality Certification Actions Taken in January 2003 *(Stacey Baczkowski)*

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	CERTIFICATION

				ACTION
1/6/03	Bartell Hotels and Shelter Island Marina	Replacement of Dilapidated Access Pier & Gangway Structure	Demolish existing pier and construct new pier with aluminum gangway, floating dock, and marginal walkway.	Standard
1/9/03	Marine Corps Base Camp Pendleton	Red Beach Road Fill	Filled a portion of a large depression during road maintenance with 60 cubic yards of 3 to 5-inch diameter rock to allow for water flow. Three 16-inch culverts will be placed under this crossing in the future to assure adequate flow.	Time Expired
1/10/03	Centex Homes	Atlas Units 8, 9, 10	Construction of a bridge over an unnamed creek for road extension to a residential development.	Conditional
1/10/03	Mark G. Barmann	Nichols Street Dock Support Replacement	Replace 18 paired, in-the-water iron supports with nine center-aligned pre-cast concrete pilings.	Standard
1/10/03	City of San Diego	Sheperd Canyon Emergency Sewer Access	Cleaning approximately 19,000 linear feet of the existing 8-inch and 18-inch vitrified clay pipe and 8-inch, 12-inch, and 15-inch polyvinyl chloride pipe from existing manholes.	Conditional
1/15/03	City of San Diego, Metropolitan Wastewater Department	Famosa Slough Supplemental Environmental Project	Construction of a detention basin to treat urban runoff before entering the slough from an existing drain pipe and restoration of approximately 0.22 acre of coastal salt marsh.	Standard
1/15/03	City of Oceanside	Oceanside Harbor Boat Launching Facility	Replacement of the existing 105-foot-wide by 155-foot-long concrete launching ramp and construction of a 135-foot-wide by 155-foot-long launch ramp.	Conditional
1/17/03	City of Poway	Community Road Widening	Widen Community Road between Ketron Avenue	Conditional

		Phase II	and Aubrey Street. The City will also relocate, and improve (e.g., widen and revegatate) the existing Rattlesnake Creek drainage channel further to the east to accommodate the road widening.	
1/17/03	Metropolitan Transit Development Board	Nobel Drive Coaster Station	Proposed San Diego Metropolitan Transit Board's Nobel Drive coaster station and associated parking and pedestrian structures.	Conditional
1/21/03	Davcon Development	The Golf College	Development of 22.29 acres with a golf course.	Withdrawn

Public notification of pending 401 Water Quality Certification applications can be found on our web site at http://www.swrcb.ca.gov/rwqcb9/Programs/Special_Programs/401_Certification/401_certification.html.

3. San Diego County Issues Storm Water Guidelines for Regulatory Compliance Work at Underground Storage Tank Sites *(Julie Chan and Sue Pease)*

The San Diego County Department of Environmental Health (DEH) has incorporated new storm water guidelines into its site assessment and mitigation (SA/M) manual. Identified as Appendix N in the SA/M manual, these guidelines were developed to ensure that regulatory compliance work at underground storage tank (UST) sites was consistent with the intent and requirements of the Municipal Storm Water Permit issued by the Regional Board to San Diego County and other Co-permitees.

The guidelines were written by a volunteer technical work group consisting of regulators, industry representatives and consultants. The work group proceeded by determining which storm water regulations or requirements would be applicable to regulated UST sites, and secondly, by defining the activities at the UST sites to which the requirements applied. Such activities included drilling, excavation of impacted materials, de-watering/discharging efforts and stockpile development. Once the activities were defined, Best Management Practices (BMPs) were determined for those activities and a draft set of guidelines developed. The activities were eventually placed into a Soil, Water or Transportation related category.

A primary goal of the work group was to keep the guidelines simple and straight forward for an applicant/responsible party and for regulatory staff reviewing work plans. To this end, the guidelines include numerous BMP's, storm water definitions, and an excellent list of references. A Storm Water Decision Tree and a set of storm water symbols for mapping purposes are included, along with tables of BMPs by activity, a Storm Water Management Practices Standard Project Form, and Co-Permittee contact information. Documents provided to the DEH for cleanups at UST sites, such as work plans and

remedial or corrective action plans, must now refer to storm water practices within the text and identify BMPs to be employed on the project.

4. Proposed New Technology to Reduce Energy Costs at Sewage Treatment Plants *(Brian Kelley) (Attachment B-4)*

At the October 9, 2002 Regional Board meeting, Mr. Gerhardt Van Drie, with AAA New Buoyancy/Gravity Mixer Co., Inc., approached the Regional Board during the public forum item to describe his new technology for efficient mixing at wastewater treatment plants. He reported that he has developed a system that uses buoyancy and gravity to obtain mixing while improving efficiency and reducing energy costs. He explained that this system could be applied to sewage treatment plants for use in their aeration tanks or other areas that require constant mixing. He also expressed his wish to be able to give the Regional Board a demonstration of the system using pilot scale equipment.

As directed by the Regional Board, staff has obtained more information on Mr. Van Drie's system. Mr. Van Drie submitted a brief description of his technology, a photo of his pilot scale project in use at a sewage treatment plant facility, and a short video of the system in operation. On January 16, 2003, Mr. Van Drie came to the Regional Board office to set up and operate a small-scale demonstration of his system. Staff were invited to stop by the field room and view the demonstration. Mr. Van Drie used colored dyes to show the speed at which his system would achieve near complete mixing. Although his system might have some merit for certain applications, Mr. Van Drie has not yet adequately scaled up the demonstration device to evaluate full-scale efficiencies or cost savings.

Staff has also sent Mr. Van Drie a letter, dated December 17, 2002 (copy attached), informing him of our initial impressions and directing him to the California Environmental Technology Certification Program (CalCert) established by the California Environmental Protection Agency (CalEPA). CalCert is a program that conducts independent, recognized scientific and engineering evaluations of environmental technology performance. Technology manufacturers and technical developers define their performance claims and submit supporting data to CalEPA staff. CalCert staff then reviews the information, and, where necessary, may request additional testing to verify claims. The technologies, equipment and products that are fully evaluated and validated receive certification verifying their performance claims.

Upon review of the information sent to CalCert, staff from the Department of Toxic Substances Control sent a letter to Mr. Van Drie, dated January 8, 2003 (copy attached), indicating that the information has been forwarded to the technology certification program at the State Water Resources Control Board. The letter also mentions that the California Energy Resources and Conservation Commission (Energy Commission) might be interested in the technology and suggested that Mr. Van Drie contact them directly.

5. Municipal Storm Water – Phase I and Phase II *(Phil Hammer)*

The Phase I municipal storm water Copermittees were required to submit their local Standard Urban Storm Water Mitigation Plans (SUSMPs) to the Regional Board on Dec. 9, 2002. The local SUSMPs describe how each Copermittee will be implementing the Model SUSMP within their jurisdiction. The Model SUSMP is a general plan designed to minimize the impact of urban runoff from new development and significant redevelopment on receiving waters. Staff is currently reviewing each of the Copermittees' local SUSMP submittals.

The Copermittees are also required to submit several other documents at the end of January 2003 for Regional Board review. Each Copermittee is to submit an Annual Compliance Report, describing all urban runoff management activities conducted by the Copermittee during the previous year. Watershed Urban Runoff Management Plans (WURMPs) are also to be submitted. The WURMPs are plans designed to identify, prioritize, and address the principal urban runoff issues in each of the major watersheds within San Diego County. Finally, a report on urban runoff monitoring activities will also be submitted. Updates on these submittals will be provided in subsequent Executive Officer Reports.

The State Water Resources Control Board (SWRCB) postponed its hearing scheduled for February 4, 2003 to consider adoption of the Phase II Municipal Storm Water Permit. The Phase II Municipal Storm Water Permit is a statewide general permit, meant to apply to small municipal separate storm sewer systems (MS4s) throughout the state. Small MS4s include small cities not already covered under the Phase I regulations, as well as governmental facilities that operate their own MS4s. Within the San Diego Region, the permit is anticipated to be issued to approximately 90 governmental facilities (such as military installations, school districts, and universities) rather than to small cities, since all small cities within the region are already covered under the Phase I regulations. The hearing was postponed in light of the recent 9th Circuit Court of Appeals decision, Environmental Defense Center v. United States Environmental Protection Agency. The SWRCB believes the decision may require revisions to the application requirements for the Permit. The SWRCB is therefore awaiting information from the United States Environmental Protection Agency regarding compliance with the decision prior to rescheduling the hearing.

6. Mission Valley Terminal Status of Compliance *(Kelly Dorsey) (Attachment B-6)*
The Mission Valley Terminal (MVT) recently received media attention regarding the potential land use changes proposed by the Chargers Task Force. John Mattes, from Fox 6 News, inquired about the gasoline pollution beneath the Qualcomm Stadium parking lot. His concern is directed towards the human health risk assessment and how a land use change, from a stadium to residential or commercial, would affect the cleanup and vice versa. The current Risk Assessment Report states that there are no human health risks associated with the current land use. Any changes in land use would result in a change to the risk assessment and the remediation system. If the land use at Qualcomm Stadium changes to residential in the area of the free phase gasoline contamination, engineering measures (e.g. vapor barriers beneath the building foundations) may be needed to protect

residents from carcinogenic gasoline vapors. However, additional vapor investigation could take place and find that additional measures are not necessary.

A report released on January 28 by the Environment California Research and Policy Center (attached) has also cast the media spotlight on the MVT. The Regional Board was contacted by Channel 10 News, Channel 6 News, and the Union Tribune for comments on the report. A main conclusion of the report is that the pump and treat cleanup system at the MVT is wasting groundwater to the ocean that could otherwise be used as a potential water supply for the City of San Diego. The report also is critical of the MVT dischargers for "delaying" cleanup. Staff pointed out that past due dates were rescinded because the dates were technically infeasible to achieve. Further, the dischargers have been put on a strict time schedule for the purpose of expediting the cleanup of the stadium area.

Regarding the ongoing cleanup, the dischargers expanded the remediation system by adding two new extraction wells. The dischargers also are installing a new remediation system north of the extraction wells that will combine vapor extraction with air sparging to attack one of the areas of highest free product thickness.

7. General Waste Discharge Requirements for Inactive Nonhazardous Waste Landfills *(Amy Fortin and John Odermatt)*

On January 27, 2003, Regional Board staff distributed copies of tentative Order Nos. R9-2003-0001 and R9-2003-0002 to the dischargers and interested parties for their review and comment.

Tentative Order R9-2003-0001: "General Waste Discharge Requirements for Post-Closure Maintenance of Inactive Nonhazardous Waste Landfills within the San Diego Region."

Tentative Order R9-2003-0002: "General Waste Discharge Requirements for Post-Closure Maintenance of Inactive Nonhazardous Waste Landfills Containing Insignificant Volumes of Decomposable Wastes within the San Diego Region."

The Regional Board staff plans to place these two tentative Orders on the March 12, 2003 agenda for consideration by the Regional Board.

8. Gregory Canyon Landfill *(Carol Tamaki and John Odermatt) (Attachment B-8)*

On January 21, 2003, the Regional Board received a copy of a letter sent by the U.S. Army Corps of Engineers (USACOE) to Mr. Jerry Riessen of Gregory Canyon Limited (GCL) (see Attachment B-8a). The letter states that the USACOE was informed that: "…. the RCRA permitting could not be acquired until California Environmental Quality Act (CEQA) review had been completed and certified. These delays continued until we withdrew the application on October 22, 2002." To the knowledge of the Regional Board staff, the environmental document (EIR) has not yet been certified by the lead agency

(County of San Diego). Attachment B-8b contains a recent news article from the North County Times concerning status of the Gregory Canyon Landfill.

On April 5, 1999, the Regional Board received a filing fee of $10,000 from GCL for the review of the Joint Technical Document (JTD)/Report of Waste Discharge (ROWD) for the proposed Gregory Canyon Landfill. Since that time, the Regional Board staff has completed reviews of three major technical revisions (in 2000, 2001, and 2002) to the JTD/ROWD, attended meetings with the discharger, and meetings with other regulatory agencies concerning the proposed Gregory Canyon Landfill. As a result of those efforts, the Regional Board staff has exhausted the funding provided by the initial filing fee of $10,000 received in 1999. The Regional Board staff intends to notify GCL, by written correspondence, that another technical review of a revised JTD/ROWD will require the submittal of a new filing fee. The requested filing fee will be consistent with the revised fee structure adopted by the State Water Resources Control Board in late 2002.

9. Anza Landfill – Riverside County *(Amy Fortin and John Odermatt)*

The Anza Sanitary Landfill is a 50-acre facility located at 40329 Terwilliger Road in the City of Anza. The unit has an estimated capacity of 400,000 cubic yards with landfill operations occurring from 1955 until May 1999. After May 1999, the waste management unit stopped receiving waste and became an inactive facility. Currently, the landfill is an inactive, unlined facility with evidence of a release of waste constituents and the creation of a condition of groundwater pollution. The landfill is located over a fractured rock aquifer where groundwater is used to support municipal and domestic beneficial uses of drinking water. According to information provided by the County of Riverside, there may be over 100 wells, most being identified as having domestic uses, located within 1 mile of the Anza Landfill.

The Anza Landfill is subject to State (CCR Title 27) and Federal (40 CFR Part 258) closure, post-closure, and corrective action requirements. On December 6, 2002, the County of Riverside provided the Regional Board with revisions to the Joint Technical Document (JTD) and Report of Waste Discharge (ROWD) for closure, post-closure monitoring and maintenance of the landfill. The Regional Board staff has determined that the JTD/ROWD is complete. The Regional Board staff is currently developing waste discharge requirements (WDRs) for the closure, post-closure monitoring and maintenance of the Anza Landfill.

10. Remediation of Groundwater Pollution from the Former Omar Rendering Site *(Brian McDaniel and John Odermatt)*

The former Omar Rendering facility is located at 4826 Otay Valley Road in the City of Chula Vista. The facility operated as a Class I liquid hazardous waste disposal site from 1959 to 1978. The Regional Board currently regulates monitoring and post-closure maintenance of the "Class I cell" through waste discharge requirements (WDRs) issued by the Regional Board (Order 97-40).

On January 14, 2003, the Regional Board hosted a meeting with representatives from Landbank Inc. (the current property owner), the prospective property buyer/developer, their legal counsels, the City of Chula Vista, our SWRCB OCC staff, and the Regional Board management. The objective of the meeting was to discuss various options for pursuing cleanup and abatement of groundwater pollution while limiting the liability of the prospective buyer. The discussion concentrated on the possible use of an agreement, under the Polanco Act - California Health and Safety Code Sections 33459 et seq., to limit future liability for cleanup and abatement of environmental pollution by the prospective buyer/developer of the site. It was agreed that the legal counsel for the City would provide a draft agreement for review and consideration by the SWRCB OCC staff. At the direction of the Executive Officer, the Regional Board staff is continuing work to develop a cleanup and abatement Order to establish requirements for the remediation of groundwater pollution from the former Omar Rendering Facility.

11. MTBE Groundwater Well Protection and Aquifer Restoration Activities in the Temecula Valley *(Barry Pulver) (Attachment B-11)*

The Rancho California Water District (RCWD) has resumed full-scale pumping of well 118. Well 118 was taken out of service due to MTBE pollution in September 2000. During the latter half of 2002, RCWD began pumping well 118 on a limited basis, but was concerned about drawing MTBE back into the well. Based on the results of a 72-hour pumping test coordinated by the Regional Board, and conducted by Conoco-Phillips, Arco, Mobil, Chevron, and Mr. and Mrs. Narain, well 118 is now pumped for water supply 24 hours every other day. This is the same pumping schedule the well was on before it was impacted by MTBE pollution.

On January 24 and 25, 2003, the Riverside Press-Enterprise and the North County Times ran articles (attached) about another MTBE plume that threatens two other RCWD wells in Temecula. The MTBE plume emanates from a Shell gasoline station located at Highway 79 South and Redhawk Parkway. The plume is believed to be the result of a vapor leak from the underground storage tank system at the station. The exact source of the vapor leak was never discovered, however, the UST system tested tight in a recent enhanced leak detection test which is capable of detecting vapor leaks at a rate as low as .005 gallons per hour. The Regional Board issued a Cleanup and Abatement Order to Shell for this site. Currently, Shell is conducting a soil and groundwater investigation to delineate the extent of the plume and develop a cost-effective cleanup alternative. Because the plume has migrated to within 100 feet of the RCWD wells, Shell is conducting daily groundwater pumpouts from monitoring wells constructed between the station and the RCWD wells to ensure that the MTBE plume does not reach the RCWD well screens. This interim cleanup activity has attracted a lot of attention because of the daily presence of vacuum trucks in the road between the station and the RCWD wells.

12. Murrieta Creek Flood Control Project *(Megan Fisher)*

By letter dated January 14, 2003, the U.S. Army Corps of Engineers (Corps) has requested Section 401 Water Quality Certification for the Murrieta Creek Flood Control

and Ecosystem Restoration Project. Riverside County Flood Control and Water Conservation District is the "local sponsor" for the project. The project includes widening approximately 7.5 miles of Murrieta Creek through the Cities of Murrieta and Temecula, constructing levees on both sides of the Creek, and constructing a 270-acre flood control basin. The Corps reported that the project would cause permanent losses to 4.4 acres and temporal losses to 31.5 acres of aquatic habitat.

Because of the size and complexity of the project, significant staff resources would be necessary to fulfill the Regional Board's responsibility to ensure that the project complies with all applicable water quality standards, limitations and restrictions. Unfortunately, due to budget constraints, we may not have the needed resources until July 2003. The fact that the Corps refuses to pay 401 certification fees doesn't help the situation.

The Corps is currently planning to begin construction in August 2003 and has requested a certification action prior to the proposed start date. We will continue to update the Board on the status of this 401 application.

13. Permit Schedule for the Municipal MS4 Stormwater Permit for the Riverside County Area *(Michael McCann and Robert Morris)*

The renewal of the municipal stormwater (MS4) permit for the Riverside County area is scheduled in the last of half of 2003. To complete the renewal process for this Phase I stormwater permit by the end of the calendar year, the proposed schedule would begin with the distribution to the public of a tentative draft permit by August 1 and an initial hearing before the Regional Board in mid September for the copermittees and interested parties to provide oral testimony. This initial hearing probably will be conducted in the Riverside County area of the San Diego region. The written comment period would be extended past the initial hearing to approximately Sept. 30, thus providing a 60 day public review and comment period. Following the close of the comment period, another 60 days would be needed for the Regional Board to consider and respond to comments and to make appropriate changes to the tentative permit for the Regional Board's final approval as early as the regularly scheduled meeting of December 10, 2003. The current MS4 permit expires on November 30, 2003.

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

1. There is nothing to report in Part C this month.